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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19
20 RICHARD KADREY, an individual; SARAH
SILVERMAN, an individual; CHRISTOPHER
21 GOLDEN, an individual,

22 Individual and Representative Plaintiffs,

23 v.

24 META PLATFORMS, INC., a Delaware
corporation;

25 Defendant.
26
27
28

Case No. 3:23-cv-03417-VC

DECLARATION OF JUDD D. LAUTER

1 I, Judd Lauter, declare:

2 1. I am Special Counsel with the law firm Cooley LLP, counsel for Defendant Meta
3 Platforms, Inc. (“Meta”) in this matter. I submit this declaration in support of Meta’s Motion to
4 Dismiss Plaintiffs’ Complaint and attach several exhibits that are the subject of Meta’s concurrently
5 filed Request for Consideration of Documents Incorporated by Reference Into the Complaint and
6 for Judicial Notice (“RJN”). I declare that the following is true to the best of my knowledge,
7 information, and belief, and that if called upon to testify, I could and would testify to the following.

8 2. Attached hereto as **Exhibit 1** is a true and correct screenshot of the February 24,
9 2023 Meta blog post titled, “Introducing LLaMA: A foundational, 65-billion-parameter large
10 language model,” located at <https://ai.meta.com/blog/large-language-model-llama-meta-ai/> and
11 last accessed by me on September 15, 2023. Plaintiffs reference and quote from Exhibit 1 in
12 Paragraphs 31 and 32 of the Complaint.

13 3. Attached hereto as **Exhibit 2** is a true and correct copy of the research paper
14 published by Meta titled “LLaMA: Open and Efficient Foundation Language Models,” which was
15 last accessed by me on September 15, 2023 at a link provided at the bottom of Exhibit 1,
16 <https://arxiv.org/pdf/2302.13971.pdf>. Plaintiffs reference and discuss the contents of Exhibit 2 in
17 Paragraphs 21 and 23 of the Complaint.

18 4. Attached hereto as **Exhibit 3** is a true and correct screenshot of the definition of
19 “remove” from the Merriam-Webster online dictionary located at [https://www.merriam-](https://www.merriam-webster.com/dictionary/remove)
20 [webster.com/dictionary/remove](https://www.merriam-webster.com/dictionary/remove), which was last accessed by me on September 15, 2023.

21 5. Attached hereto as **Exhibit 4** is a true and correct screenshot of the definition of
22 “omit” from the Merriam-Webster online dictionary located at [https://www.merriam-](https://www.merriam-webster.com/dictionary/omit)
23 [webster.com/dictionary/omit](https://www.merriam-webster.com/dictionary/omit), which was last accessed by me on September 15, 2023.

24 I declare under penalty of perjury that the foregoing is true and correct. Executed on this
25 18th day of September, 2023 at San Francisco, California.

26
27 /s/ Judd Lauter
Judd Lauter